



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/531,636	11/14/2005	Yong Chang	678-2026 (P11824)	1524
66547 7590 11/14/2008 THE FARRELL LAW FIRM, P.C. 333 EARLE OVINGTON BOULEVARD SUITE 701 UNIONDALE, NY 11553				
EXAMINER				
HAN, CLEMENCE S				
ART UNIT		PAPER NUMBER		
2416				
MAIL DATE		DELIVERY MODE		
11/14/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/531,636

Applicant(s)

CHANG, YONG

Examiner

CLEMENCE HAN

Art Unit

2416

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 April 2005.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☒ Claim(s) 4-15 is/are allowed.
6) ☒ Claim(s) 1-3 and 16-18 is/are rejected.
7) ☒ Claim(s) 19-28 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claim 1 and 16 are rejected under 35 U.S.C. 102(a) as being anticipated by Gao (US Pub. 2003/0076793).

Regarding claim 1 and 16, Gao teaches a method for synchronizing transmission/reception time for delay in transmission/reception of a data frame of a voice signal in a mobile communication system which includes a media gateway 26 and a base station controller 22, the media gateway including a trans-coder 32 for converting an analog voice signal and a coded digital voice signal into each other, the base station controller transmitting/receiving a digital voice signal to/from the media gateway (Figure 2), the method comprising the steps of: transmitting information of a forward delay and data frames of a voice signal, which is received from the mobile station, from the base station controller to the media gateway [0033]; transmitting information of a reverse delay from the media gateway to the base station controller when the media gateway receives data frames of voice signals from a called party [0033]; and receiving the information of the forward delay and the reverse delay and performing a control for the synchronization in the base station controller and the media gateway, respectively [0038].

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 2, 3, 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gao in view of Miller et al. (US 5,796,735).

Regarding claim 2, 3, 17 and 18, Gao teaches a method for synchronizing transmission/reception time for delay in transmission/reception of a data frame of a voice signal in a mobile communication system which includes a media gateway 26 and a base station controller 22, the media gateway including a trans-coder 32 for converting an analog voice signal and a coded digital voice signal into each other, the base station controller transmitting/receiving a digital voice signal to/from the media gateway (Figure 2), the method comprising the steps of: transmitting information of a forward delay and data frames of a voice signal, which is received from the mobile station, from the base station controller to the media gateway [0033]; transmitting information of a reverse delay from the media gateway to the base station controller when the media gateway receives data frames of voice signals from a called party [0033]; and receiving the information of the forward delay and the reverse delay and performing a control for the synchronization in the base station controller and the media gateway, respectively [0038]. Gao, however, does not teach delay is set as a difference value which is calculated using an expected arrival time and an actual arrival time of the data frames of the voice signal received from the media gateway. Miller teaches delay is set as a difference value which is calculated

using an expected arrival time and an actual arrival time of the data frames of the voice signal received from the media gateway (Column 2 Line 55-58). It would have been obvious to one skilled in the art to modify Gao to use the difference between the expected arrival time and the actual arrival time as taught by Miller in order to provide near constant service (Column 2 Line 58-61).

Allowable Subject Matter

5. Claim 4-15 are allowed.
6. Claim 19-28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CLEMENCE HAN whose telephone number is (571) 272-3158. The examiner can normally be reached on Monday-Friday 8-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Firmin Backer can be reached on (571) 272-6703. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. H./
Examiner, Art Unit 2416

/FIRMIN BACKER/

Supervisory Patent Examiner, Art Unit 2416